

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

STAMBAUGH’S AIR SERVICE, INC.,	:	
	:	
Plaintiff	:	
v.	:	CASE NO. 1:CV-00-0660
	:	
SUSQUEHANNA AREA REGIONAL	:	Judge Yvette Kane
AIRPORT AUTHORITY, BAA	:	Magistrate Judge J. Andrew Smyser
HARRISBURG, INC., DAVID FLEET,	:	
individually, DAVID HOLDSWORTH,	:	
individually, and DAVID C. McINTOSH,	:	JURY TRIAL DEMANDED
individually,	:	
Defendants	:	
.....	:	

MOTION TO REINSTATE THE ACTION

AND NOW, comes your Plaintiff, Stambaugh’s Air Service, Inc., by and through its counsel, Cunningham & Chernicoff, P.C., who files this Motion to Reinstate the Action and, in support thereof, avers the following:

1. Plaintiff and Defendants reached a Global Settlement Agreement regarding the underlying actions filed by each of the parties in the above captioned matter.

2. Part of the global settlement was the payment of monetary funds by the Defendants to the Plaintiff.

3. On September 4, 2007, this Honorable Court entered an Order dismissing an action and, upon good cause being shown to reinstate the action, if within sixty (60) days the parties find a need to do so.

4. Plaintiff, as of the date of this Motion, has received approximately 40% of the monetary funds provided to be paid to it under the agreement of the parties.

5. Defendant's counsel has indicated to Plaintiff's counsel that checks have been "been ordered" to be drawn, however, as of this date, 60% of the monetary funds of the settlement have not been received by Plaintiff or its counsel. Moreover, on November 2, 2007, Defendant's counsel's office indicates the carrier reports the "check is in the mail".

6. This Motion is being filed on the 58 day of this Court's Order of September 4, 2007.

7. Plaintiff is of the opinion that good cause exists to file this Motion in order to protect its interests.

8. Plaintiff's counsel attempted to reach Defendants' counsel to obtain his concurrence or non-concurrence. Defendants' counsel was unavailable as he was preparing for trial in an unrelated matter. Plaintiff's counsel assumes that Defendants' counsel would not concur with this Motion.

WHEREFORE, your Plaintiff respectfully requests this Honorable Court to find good cause has been shown to reinstate the action.

Respectfully submitted,
CUNNINGHAM & CHERNICOFF, P.C.

Dated: November 2, 2007 By: /s/ Jordan D. Cunningham, Esquire
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